

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ROBERT V. RODGERS,  
Appellant,

v.

PREFERRED CAROLINAS REALTY, INC.;  
JAMES E. ALLEN, JR.; JIM ALLEN GROUP,  
INC.; and, HARRY JAMES THORPE,

Appellees.

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IN RE:

ROBERT V. RODGERS,  
Debtor.  
Case No. 09-09124-8-JRL

**JUDGMENT**

No. 5:11-CV-153-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of appeal from an order of the United States Bankruptcy Court dated December 3, 2010.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered July 12, 2011, and for the reasons set forth more specifically therein, that the decision of the bankruptcy court was erroneous and is VACATED and REMANDED.

**This Judgment Filed and Entered on July 14, 2011, and Copies To:**

Ralph Hayes Hofler, III (via CM/ECF Notice of Electronic Filing)  
Bryan T. Simpson (via CM/ECF Notice of Electronic Filing)

July 14, 2011

DENNIS P. IAVARONE, CLERK  
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/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk